

PCT  
Attorney File Ref: 102792-357 (11017P4)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Jacobus Simon Petrus VAN DIEPEN  
Serial No.: 10/511,113  
Filed: 12 October 2004  
Examiner: To Be Assigned  
Art Group: To Be Assigned  
Title: CONTAINER

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08 April 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313 – 1450

## RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Sir:

We are in receipt of the *Notice of Missing Requirements* dated 23 March 2005 in connection with the above-captioned application. Such *Notice* states that the USPTO has yet to receive an executed oath or declaration and the related surcharge.

On the same date that the *Notice of Missing Requirements* was issued, 23 March 2005, we filed an executed *Combined Oath, Declaration and Power of Attorney* with the USPTO via facsimile. We enclose copies of the *Communication Re: Filing of Declaration on a Date Later Than the Filing Date of the Application* dated 23 March 2005, the accompanying *Combined Oath, Declaration and Power of Attorney* as executed by the inventor, and a facsimile confirmation page showing the successful transmission of such documents to the USPTO.

The undersigned respectfully requests that the USPTO acknowledge the filing of the *Combined Oath, Declaration and Power of Attorney* on 23 March 2005.

Respectfully submitted,

Andrew N. Parfomak

Andrew N. Parfomak, Esq.  
Reg. No. 32,431  
Norris, McLaughlin & Marcus PA  
875 Third Avenue, 18<sup>th</sup> Floor  
New York, NY 10022

Date: 08 April 2005

Tel: 212 808-0700

CERTIFICATE OF MAILING

I hereby certify that the foregoing Response to Notification of Missing Requirements and all enclosures stated to be included therewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on the date indicated below:

By: Kimberly Brittingham  
Kimberly Brittingham

Date: 08 April 2005



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT		ATTY. DOCKET NO.
10/511,113	Jacobus Simon Petrus Van Diepen		102792-357/11017P4 <i>ANP</i>
INTERNATIONAL APPLICATION NO.			
PCT/GB03/01537			
27389 NORRIS, MC LAUGHLIN & MARCUS 875 THIRD AVE 18TH FLOOR NEW YORK, NY 10022		I.A. FILING DATE	PRIORITY DATE
		04/10/2003	04/12/2002
CONFIRMATION NO. 9005 371 FORMALITIES LETTER *OC000000015540400* *OC000000015540400*			

Date Mailed: 03/23/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/12/2004
- Copy of the International Search Report filed on 10/12/2004
- Copy of IPE Report filed on 10/12/2004
- Preliminary Amendments filed on 10/12/2004
- Information Disclosure Statements filed on 10/12/2004
- Request for Immediate Examination filed on 10/12/2004
- U.S. Basic National Fees filed on 10/12/2004
- Priority Documents filed on 10/12/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE**

**DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

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Telephone: (703) 308-9140 EXT 206

**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/511,113	PCT/GB03/01537	102792-357/11017P4

FORM PCT/DO/EO/905 (371 Formalities Notice)

TRANSMISSION VERIFICATION REPORT

TIME : 03/23/2005 11:18  
NAME  
FAX  
TEL  
SER. # : 000G4J155873

DATE, TIME	03/23 11:17
FAX NO./NAME	917033053230
DURATION	00:01:06
PAGE(S)	05
RESULT	OK
MODE	STANDARD ECM

**FAX COVER SHEET**

Norris, McLaughlin & Marcus, P.A.  
875 Third Avenue, 18<sup>th</sup> Floor  
New York, NY 10022  
Facsimile (212) 808-0844  
Telephone (212) 808-0700

23 March 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

FAX NUMBER: (703) 305-3230

TOTAL PAGES (including Fax Cover): 5

SERIAL NO. : 10/511,113  
APPLICANT : Jacobus Simon Petrus VAN DIEPEN  
FILED : 12 October 2004  
FOR : CONTAINER  
  
ATTORNEY  
DOCKET NO. : 102792-357 (11017P4)

**Comments:**

Attached are:

1. Communication Re: Filing of Declaration on a Date Later Than the Filing Date of the

# FAX COVER SHEET

Norris, McLaughlin & Marcus, P.A.  
875 Third Avenue, 18<sup>th</sup> Floor  
New York, NY 10022  
Facsimile (212) 808-0844  
Telephone (212) 808-0700

23 March 2005

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ATTORNEY  
DOCKET NO. : 102792-357 (11017P4)

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### Comments:

Attached are:

1. Communication Re: Filing of Declaration on a Date Later Than the Filing Date of the Application - **CHARGE DEPOSIT ACCOUNT \$130**
2. Executed Combined Oath, Declaration and Power of Attorney (2 sheets)

0/14/2005 GFREY1 00000036 141263 10511113

0 FC:1617 130.00 DA

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT : Jacobus Simon Petrus VAN DIEPEN  
SERIAL NO. : 10/511,113 [which is a 371 of PCT/GB03/01537]  
FILED : 12 October 2004  
FOR : CONTAINER  
ART UNIT : To Be Assigned  
EXAMINER : To Be Assigned

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23 March 2005

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**COMMUNICATION RE: FILING OF DECLARATION ON  
A DATE LATER THAN THE FILING DATE OF THE APPLICATION**

Sir:

It is requested that the Combination Oath, Declaration and Power of Attorney submitted herewith be joined up with the papers previously filed in this Application.

It is requested that the surcharge of \$130.00 for the filing of the Declaration be charged to the undersigned's Deposit Account No. 14-1263.

**Note: To date, the undersigned representative has not yet received the "Notice to File Missing Parts of Application" from the USPTO.**

**CONDITIONAL PETITION FOR EXTENSION OF TIME**

If any extension of time for this response is required, applicant requests that this be considered a petition therefor. Please charge the required Petition fee to Deposit Account No. 14-1263.

**ADDITIONAL FEE**

Please charge any insufficiency of fees, or credit any excess to our Deposit Account No. 14-1263.

Respectfully submitted,

NORRIS McLAUGHLIN & MARCUS, P.A.

By Andrew N. Parfomak  
Andrew N. Parfomak  
Reg. No. 32,431

ANP/kb

Enc. - Combined Oath, Declaration and Power of Attorney

875 Third Avenue, 18<sup>th</sup> Floor  
New York, New York 10022  
Tel.: (212) 808-0700  
Fax: (212) 808-0844

**CERTIFICATE OF FACSIMILE  
TRANSMITTAL**

I hereby certify that this paper and every paper referred to therein as being enclosed are being deposited by fax to the United States Patent and Trademark Office at 703-305-3230 on the date indicated below.

Print Name: Kimberly Brittingham

Date: 23 March 2005

Signature: Kimberly Brittingham